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SERIAL NO. 09/870,610

IBM DOCKET NO. AUS920010361US1

DATE: July 19, 2005

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FROM: Joseph T. Van Leeuwen
Van Leeuwen & Van Leeuwen
Registered Patent Attorneys
6123 Pebble Garden Court
Austin, Texas 78739
Tel No: **512-301-6738**
Fax No. **512-301-6742**

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Docket No. AUS920010361US1

Serial No. **09/870,610**

Atty: DLR / JVL

Applicant: Banerjee, et al.

<input checked="" type="checkbox"/> Transmittal Letter (2 copies)	<input checked="" type="checkbox"/> Certificate of Facsimile
<input type="checkbox"/> Amendment (____ pages)	<input type="checkbox"/> Notice of Appeal
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Atty Ref. No. IBM-1020

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SERIAL NO. 09/870,610

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Joseph T. Van Leeuwen 7/19/05
Joseph T. Van Leeuwen Date

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventors: Banerjee, et al.

For: System and Method for Extending Server Security Through Monitored Load Management

Enclosed are:

- Information Disclosure Statement;
- Modified form 1449 listing 14 references;
- copies of any non-U.S. Patent references listed on form 1449.

37 CFR § 1.97 is satisfied by the following:

- This IDS is being filed pursuant to CFR § 1.97(c) and:
 - is accompanied by the fee set forth in § 1.17(p), please charge my Deposit Account No. 09-0447 the fees set forth in § 1.17(p) [\$180.00]. (a duplicate copy of this sheet is enclosed); and
 - no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0447. A duplicate copy of this sheet is enclosed.
- Any additional patent application processing fees under 37 CFR Sect. 1.17.

Respectfully submitted,

By

Joseph T. Van Leeuwen
Joseph T. Van Leeuwen
Attorney for Applicant
Registration No. 44,383
Telephone: (512) 301-6738
Facsimile: (512) 301-6742

Atty Ref. No. IBM-1020

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DATE: July 19, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Banerjee, et. al.
Serial No.: 09/870,610
Filed: May 31, 2001
Title: System and Method for Extending
Server Security Through Monitored
Load Management

: Group Art Unit: 2141
: Intellectual Property Law Department
: International Business
: Machines Corporation
: Intellectual Property Law Dept.
: 11400 Burnet Road
: Austin, Texas 78758

INFORMATION DISCLOSURE STATEMENT

The Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such. In accordance with 37 CFR § 1.97(g) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56 (a) exists.

Applicants note that four patents have been brought to the attention of the undersigned attorney and do not fall under 37 CFR § 1.97(c). Applicants do not represent that these four references are "material" as defined in 37 CFR § 1.56. However, in complying with Applicants duty of candor, Applicants list those references separately below:

Patent No.	Date	Name	Class	Subclass
5,535,375	07/09/1996	Eshel et al.	709	225
6,182,086	01/30/2001	Lomet et al	707	202
6,098,099	08/01/2000	Ellesson et al.	709	223
5,675,721	10/07/1997	Freedman et al.	395	129

07/20/2005 NNGUYEN1 00000022 090447 09870610

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Atty Ref. No. IBM-1020

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SERIAL NO. 09/870,610
IBM DOCKET NO. AUS920010361US1
DATE: July 19, 2005

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 CFR § 1.98 (a)(1). A copy of each listed item that is not a U.S. Patent document, is supplied herewith.

Respectfully submitted,

By Joseph T. Van Leeuwen

Joseph T. Van Leeuwen
Van Leeuwen & Van Leeuwen
Attorneys for Applicant
Registration No. 44,383
Telephone: (512) 301-6738
Facsimile: (512) 301-6742

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Atty Ref. No. IBM-1020

In Place of FORM PTO-1449 (Modified)

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT**

Serial No. 09/870,610
 Applicant: Banerjee, et. al.
 Filing Date: 5/31/2001
 Group: 2141
 Atty. Docket No. AUS920010361US1

U.S. PATENT DOCUMENTS

Examiner <u>Initial</u>	Document <u>Number</u>	Date	Name	Classification <u>Class / Subclass</u>	Filing Date if <u>Appropriate</u>
AA	5,878,224	03-1999	Smith, Donald Edward	709/224	
AB	6,101,541	08-2000	Ellesson et al.	709/225	
AC	6,230,200	05-2001	Forecast et al.	709/226	
AD	6,484,161	11-2002	Chipalkatti et al.	707/3	
AE	6,694,358	02-2004	Swildens et al.	709/218	
AF	6,707,792	03-2004	Volfsun et al.	370/235	
AG	6,816,903	11-2004	Rakoshitz et al.	709/225	
AH	6,834,297	12-2004	Peiffer et al.	709/219	
AI	6,836,785	12-2004	Bakshi et al.	709/203	
AJ	2002/0101819	08-2002	Goldstone, Jonathan S.	370/229	
AK	2002/0101821	08-2002	Feldmann et al.	370/232	
AL	2002/0103631	08-2002	Feldmann et al.	703/22	
AM	2002/0133586	08-2002	Feldmann et al.	709/224	

FOREIGN PATENT DOCUMENTS

Examiner <u>Initial</u>	Document <u>Number</u>	Date	Country	Classification	Translation <u>Yes</u> <u>No</u>
AN					
AO					
AP					

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	Lammie, T., 2000 SYBEX Inc., <i>CCNA Cisco Certified Network Associate</i> , 2 nd Ed., pp. 327-328, 412-416.
AR	
AS	
AT	

Examiner: _____ Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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